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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/866,923	05/30/2001	Chikara Murata	108421-00016	5150

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EXAMINER
CHANG, VICTOR S

ART UNIT	PAPER NUMBER
1771	7

DATE MAILED: 09/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/866,923	MURATA, CHIKARA	
	Examiner	Art Unit	
	Victor S Chang	1771	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 September 2002* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6* is/are pending in the application.

4a) Of the above claim(s) *2(B) and 2(C) species, 3, 6* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4 and 5* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of species (A) an anti-reflection layer in claim 2 in Paper No. 6 is acknowledged. The traversal is on the ground(s) that the instant invention is a technique which turns the total color of film to achromatic color and does not contain species. This is not found persuasive because each claimed property (i.e., anti-reflective, anti-static, and infrared blocking) is substantially different from the other optical properties which are also listed under different search classifications.

The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1, 2, 4, 5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, the structural relations, i.e., respective order of the layers, are vague and indefinite. The Examiner would like to suggest combing the structural limitations of claim 2 into claim 1, and in any event, claim 2 should be amended to recite only the single elected anti-reflection layer species.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schroeder et al. (US 5820957) in view of Nishizawa et al. (US 6268704).

For claims 1 and 2, Schroeder's patent is related to an anti-reflective film (Abstract). Schroeder teaches that the film construction contains an optically transparent polymeric support film disposed between an optically clear anti-reflective polymeric film and an optically transparent adhesive (column 1, line 66 to column 3, line 6). It is believed that Schroeder's anti-reflective film is optically clear and does not require color neutralization by complementary color, as such Schroeder is silent on the color hue problem associated with certain anti-reflective material. Nishizawa's invention is directed to a coating for a cathode ray tube (Abstract). Nishizawa teaches that the body color of the cathode ray tube may be changed to an achromatic color by adding a complementary coloring matter, such as a pigment or dye, to the coated second layer (column 3, lines 41-52). Note also as evidence the state of the art Chao et al. (US 5019898) which teaches that it is well known that the ranges of colors we perceive are the consequence of a mixture of light of different wavelengths. Certain wavelengths of blue, green, and red light, referred to as the "primary" colors, will produce a wider range of colors when combined with each other in varying intensities than any other three-

color combination. Addition of two primary colors will produce the "secondary" colors cyan (green and blue), magenta (red and blue), and yellow (red and green). Mixture in the proper proportions of all three primary colors, or of a secondary color with its complementary primary color, gives white light, i.e., achromatic (column 1, lines 18-29).) As such, in the absence of unexpected results, it would have been obvious to one of ordinary skill in the art to incorporate Nishozawa's teaching to add a complementary color matter in the adhesive layer of Schroeder's anti-reflective film, motivated by the desire to make an achromatic or colorless anti-reflective adhesive film which does not ~~the~~ impose an undesirable color hue to the display.

For claims 4 and 5, the Examiner takes Official notice that incorporating a hard coat material in optical functional layer is old and well known to one of ordinary skill in the art, motivated by the desire to improve the scratch resistance of the surface coating.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In addition, the following references are cited of interest for making adhesive films for display:

US 4541693 to Knoll et al.

US 5080774 to Heitzer

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor S Chang whose telephone number is 703-605-4296. The examiner can normally be reached on 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel H Morris can be reached on 703-308-2414. The fax phone numbers

for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

VSC
VSC
September 20, 2002

DANIEL ZIRKER
PRIMARY EXAMINER
GROUP ~~1300~~ 1700

Daniel Zirker